GOVERNMENT OF INDIA
HOUSING AND URBAN POVERTY ALLEVIATION
LOK SABHA

UNSTARRED QUESTION NO:671
ANSWERED ON:20.07.2016
Draft Real Estate Rules
Gavit Dr. Heena Vijaykumar;Mahadik Shri Dhananjay Bhimrao

Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

Will the Minister of HOUSING AND URBAN POVERTY ALLEVIATION be pleased to state:

(a) whether the attention of the Government has been drawn to homebuyers reeling under the impact of delayed projects and mounting loan liabilities and if so, the details thereof, State-wise;

(b) whether the Government has framed real estate rules empowering homebuyers to ask for compensation if developers do not fulfill the promises they had made at the time of launching the project and booking dwelling unit;

(c) if so, the details thereof;

(d) whether the rules also keep check on builders" arbitrary and fraudulent activities and if so, the details thereof; and

(e) whether the rules will adversely affect developers hit by delay in ongoing projects and if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOUSING & URBAN POVERTY ALLEVIATION

(RAO INDERJIT SINGH)

(a) to (e): In order to establish the Real Estate Regulatory Authority for regulation and promotion of the real estate sector in an efficient and transparent manner; to protect the interest of consumers; and to establish an adjudicating mechanism for speedy dispute redressal, Ministry of Housing & Urban Poverty Alleviation piloted the Real Estate (Regulation and Development) Act, 2016. Specified Sections of the Act have come into effect from 01st May, 2016.

As per Section 84 of the Real Estate (Regulation and Development) Act, 2016, six months time is provided for framing and notification of the Rules by the appropriate Government. As per Section 2(g) of the Real Estate Act, 2016 "appropriate Government" is defined as follows:

"appropriate Government" means in respect of matters relating to,-

(i) the Union Territory without Legislature, the Central Government;
(ii) the Union Territory of Puducherry, the Union Territory Government;
(iii) the Union Territory of Delhi, the Central Ministry of Urban Development;
(iv) the State, the State Government.

The Ministry of Housing & Urban Poverty Alleviation being the 'appropriate government' for UTs without legislature, has prepared the draft rules, which have been uploaded on the Ministry's website on 24th June, 2016 inviting comments/suggestions thereupon.

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